



## UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

### REGION VIII

999 18th STREET - SUITE 500  
DENVER, COLORADO 80202-2466

### **APPLICATION GUIDELINES FOR EPA TARGETED BROWNFIELDS ASSESSMENT ASSISTANCE Region 8, Denver**

EPA is currently providing Phase 1, Phase 2, or other specific site assessment assistance at selected brownfields properties. To request Region 8's assistance for site assessments, interested parties must complete an application which includes the information identified below. Applicants will be contacted after Region 8 reviews the application. The site assessment application should include the following:

#### **1. Contact Person**

- Provide name
- Telephone number
- Fax Number
- Postal address
- E-mail address

#### **2. Site/Project location**

- Provide the site name and address, including city, county, zip code, and approximate total acreage.
- If available, provide a map of the site (preferably its latitudinal and longitudinal location on a USGS topographical quadrangle map).
- Provide amount of delinquent property taxes (if any).
- Provide assessed value of the property and date of assessment..

#### **3. Site History and Current Status**

- Briefly describe the known past and current uses of the site.
- Describe local/state/federal regulatory involvement at the site (e.g. whether EPA has already invested funds in the property or if there is an ongoing or planned state/federal enforcement action at the site). Information should include whether or not there has ever been a response action taken at the site either under CERCLA\* or RCRA\*.
- Describe environmental conditions, including level and type of contamination (if known) and a summary of any known past environmental investigations.
- Summarize past and present developer interest and their plans for the property.
- Describe past, current, and future ownership status. If property is not owned by applicant, describe how applicant anticipates obtaining access to property in order to conduct assessment activities.

#### **4. Property Specific Determinations**

Funding may be provided to assess sites that are being addressed under other federal programs (e.g. RCRA, TSCA\* etc.). [Note: Sites currently listed, or proposed for listing on the National Priority List (NPL), as well as sites with planned or ongoing removal actions under CERCLA (Superfund) are excluded.] For a site being addressed under another federal program (as noted above), please describe how:

- This assessment will ensure protection of human health and the environment, **and**
- This work will promote economic development, **or**
- will promote the creation of, preservation of, or addition to parks, greenways, undeveloped property, other recreational property, or other property used for nonprofit purposes.

#### 5. Contamination by Petroleum or Petroleum Product

Assessments may be conducted at sites contaminated with petroleum or petroleum products. For these sites, please demonstrate that:

- the site is of relatively low risk compared with other petroleum-only sites in the state\*\*;
- **and**
- there is no viable responsible party; **and**
- the assistance will be provided to a party that is not potentially liable for the petroleum contamination at the site.

#### 6. Project Period and Budget

- State the desired project completion time period and schedule.
- If available, provide a budget page showing a breakdown of assessment activities and estimated costs.

#### 7. Assurance of Future Redevelopment and Reuse of the Site

- Describe how the site ownership will be controlled, i.e. publicly-owned either directly by a municipality or through a quasi-public entity such as a community development corporation. Privately owned sites need to provide a substantial public benefit or a clear means of how EPA expenditures will be recouped either through an agreement or lien.
- Describe the roles of all other key stakeholders in the project, i.e. community organizations, state involvement, city involvement, etc.
- Describe efforts directed towards community involvement, i.e. is the community aware of the project and do they support the proposed redevelopment? If community is not aware of the project, what are the plans to involve the community?
- Identify cleanup funding sources, i.e. direct or leveraging of funds and availability of financial incentives such as TIF's.
- Describe redevelopment/reuse plans, i.e. the desired future use of the site, the likelihood of redevelopment/reuse, and how the site fits within overall redevelopment plans.
- List any commitments in place that provide evidence that this brownfields site will be cleaned up and redeveloped or reused, and is capable of becoming an

- operating business that provides jobs for the community or will become an asset to the community. If the property is identified for reuse, describe the reuse plan.
- If all or part of the property is to be donated to the local or Tribal government, include the developer's written commitment to make the stated donations.

## 8. **Benefits**

- Explain how site revitalization will serve to spur further beneficial activities at nearby locations.
- Describe how site redevelopment will benefit the community e.g. creation of new jobs or greenspace/park space etc.
- State whether a direct health/environmental threat will be mitigated.
- If appropriate, include in the application, a letter or other written documentation of the developer's commitment to provide the public benefit described above.

### Footnotes:

- \* Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), Resource Conservation and Recovery Act (RCRA), Safe Drinking Water Act (SDWA), Toxic Substance Control Act (TSCA).

- \*\* Excepting Tribes, applicants must obtain a letter from the State documenting that the site is a low priority in the State. If the State is unable to make that determination, EPA will do so.

## BROWNFIELDS CRITERIA RANKING FORM

Region 8 will use this form to evaluate and prioritize applications for targeted brownfields assessment assistance. In order to justify EPA expenditures on brownfields site assessment activities at sites that are not on CERCLIS, EPA is requiring that a set of criteria be identified and then evaluated for any proposed assessment assistance. These criteria will also be used by Region 8 to determine where its resources should be directed, e.g. selection and prioritization of one site over another.

### THRESHOLD CRITERIA (all threshold criteria must be met)

1. The applicant for this assistance did not cause or contribute to the possible contamination on the property: **Yes No**
2. The site is a brownfields site: **Yes No**
3. For sites currently being addressed under other federal programs (e.g. RCRA, TSCA etc.), the applicant has shown that:
  - This assessment will ensure protection of human health and the environment, **and**
  - will promote economic development, **or**
  - the creation of, preservation of, or addition to parks, greenways, undeveloped property, other recreational property, or other property used for nonprofit purposes.**Yes No**
4. For sites contaminated with petroleum, the applicant has demonstrated that the site is:
  - of “relatively low” risk; and
  - there is no viable responsible party; and
  - that a potentially responsible will not directly benefit from this assessment.**Yes No**

### RANKING CRITERIA

Each of the following criteria is ranked on a scale of 1 to 4, where one is unsatisfactory and four is outstanding. (For a total score of 32 being the highest.)

#### **Rating   Criteria**

##### 1. Site ownership

Site is currently publicly owned either directly by municipality or tribe or through a quasi-public entity such as a community development corporation. If the site is privately owned, a clear means of recouping EPA expenditures is available (e.g. through an agreement with the owner or developer or through a lien); or for privately owned sites there is a substantial public benefit.

##### 2. Strong municipal or tribal commitment

Establishment of financial incentives (e.g. TIFs or other tax incentives).

Commitment of municipal or Tribal resources for other components of the project (e.g., funding, in-kind services, etc.)

\_\_\_\_\_3. *Clear municipal/community vision and support for property revitalization*

The site is clearly an integral part of a local development plan; and there is no known public opposition

\_\_\_\_\_4. *Adequate resources and high developer interest*

The municipality or tribe or potential site developer has demonstrated an ability to leverage additional funds for cleanup and other future work at the site (including the creation or maintenance of greenspace); and/or the site has strong development potential as demonstrated by past or present interest by a developer(s) and /or commitments are in place for the cleanup and redevelopment of the site.

\_\_\_\_\_5. *EPA assessment assistance is crucial to the redevelopment or reuse of the site*

Lack of site assessment is an obstacle to redevelopment; and other resources (federal, state, local, or private) are not available for assessing the site. Proposal should show that there is a strong need.

\_\_\_\_\_6. *Based on existing information, the site is likely to have low to moderate levels of contamination.*

\_\_\_\_\_7. *The application demonstrates that redevelopment/reuse will benefit the surrounding community e.g. an increase in jobs for the surrounding residents, creation of park space, etc. If all or part of the property is to be donated to the local or Tribal government, the developer has committed in writing to make the stated donations.*

\_\_\_\_\_8. *Project area has a clear need for revitalization*

Existing significant deterioration

Significant environmental justice issues